

Belvedere: March 24, 2005
Jerry Butler

Corte Madera: **TO:** Transportation Authority of Marin Commissioners
Melissa Gill

Fairfax: **RE:** Highway 101 Carpool Lane Gap Closure Project STIP Amendment,
Lew Tremaine Financial Contribution Agreement Amendment – Agenda Item 6

Dear Commissioners:

Larkspur:
Joan Lundstrom

Mill Valley:
Dick Swanson

Novato:
Pat Eklund

Ross:
Tom Byrnes

San Anselmo:
Peter Breen

San Rafael:
Al Boro

Sausalito:
Amy Belser

Tiburon:
Alice Fredericks

The Highway 101 Carpool Lane Gap Closure project was fully funded in September 2000 with the Transportation Congestion Relief Program. At that time, the construction of Segments 3 (Central San Rafael) and 4 (Puerto Suello Hill) was projected to start in fiscal year 2003/4. Due to the fiscal crisis in the State Highway Account, these segments have been delayed. The STIP funds programmed for FY 05/06 are not expected to be available until FY 06/07 at the earliest. Of the \$15,000,000 in Traffic Congestion Relief Program (TCRP) funds, \$12,249,000 remains unallocated and is not expected to be available for several years. In addition, R/W acquisition costs have been higher than originally estimated by Caltrans, with an estimated cash shortfall for R/W of \$10,000,000. The latter cost is expected to be fully recovered by TAM in future excess land sales, but remains a cash flow concern.

In December 2004, MTC programmed \$10,000,000 in STP/CMAQ funds for the project as a backfill for the TCRP funds. In February 2005, MTC released a proposal (letter from Ross McKeown dated March 21, 2005) to program an additional \$21,300,000 in STP/CMAQ funds, for a total of \$31,300,000 in new STP/CMAQ funds to backfill the STIP funds. This proposal is scheduled for approval by MTC on April 27, 2005.

With this information, staff has worked with Caltrans to revise the project funding plan and the Financial Contribution Agreement as follows:

County of Marin:
Susan Adams
Hal Brown
Steve Kinsey
Charles McGlashan
Cynthia Murray

- Add \$10,000,000 in STP/CMAQ funds for right-of-way with attached amendment to Agreement
- Add \$21,300,000 for construction, with funds to be obligated by 6/1/05, with amendment to Agreement at April 28th TAM meeting
- Add \$10,050,000 in sales tax funds as local match for construction, with amendment to Agreement and sales tax allocation at April 28th TAM meeting
- Reimburse TAM approximately \$10,000,000 as right-of-way is surplus, with approximately \$5,000,000 from the Central San Rafael Segment returned by the end of 2006; and approximately \$5,000,000 from the Puerto Suello Hill Segment returned by 2009.
- Fully fund the shortfall in the Puerto Suello Segment and landscape phases

- Retain nearly \$15 million in sales tax funds. Remaining elements to be designed and funded are noise reduction, north-south bicycle way through Puerto Suello hill, and local match for City of San Rafael landscaping grant for east side of east soundwall.

The above actions fully fund the Central San Rafael segment and keep it on schedule for a January 2006 construction start. The STIP funds currently programmed in the FY 05/06 fiscal year for Central San Rafael will now be planned to be used for the Puerto Suello Hill Segment (originally programmed in FY 06/07). It is unknown at this time whether the CTC will actually allocate funding for projects, but this action moves the project closer to the front of the line of fully funded projects waiting for allocations. The STIP amendment will move the funding that exceeds Caltrans approved cost estimate to the next fiscal year, insuring TAM does not lose the funds due to "use it or lose it" provisions. Caltrans is submitting the STIP Amendment, and it will be placed on the CTC's April agenda for notice and May agenda for action. TAM staff has prepared a letter of concurrence in support of the Caltrans request for submittal to MTC.

Staff is also working with regional and state staff to consider a TCRP application amendment transferring the project lead agency designation from Caltrans to TAM. This amendment is needed so that TAM can submit a Letter of No Prejudice request and reserve the right to claim the \$12,249,000 TCRP reimbursement should those funds become available at a future date.

Based on the above funding information, Caltrans has agreed to a schedule that completes construction of both segments by December 2008.

Recommendation

Staff recommends the following:

1. Authorize the Executive Director to submit a letter of concurrence with the proposed STIP Amendment transferring \$11,858,000 programmed in FY 05/06 to FY 06/07
2. Authorize the Chair to approve a revised Exhibit A-1, adding \$10,000,000 in CMAQ funds for R/W Acquisition

Respectfully Submitted,

Craig Tackabery
Executive Director

Attachments:

- 1) Letter to MTC supporting Caltrans' STIP Amendment Request
- 2) Proposed Revision to Exhibit A
- 3) Existing Financial Contribution Agreement (District Agreement No. 4-1938-C), executed January 29, 2004
- 4) Memo from R. McKeown, MTC, to the Partnership Technical Advisory Committee, dated March 21, 2005
- 5) Letter to Jit Pandher, Caltrans, dated March 18, 2005

Belvedere: March 24, 2005
Jerry Butler

Corte Madera: Metropolitan Transportation Commission
Melissa Gill Alix Bockelman
101 Eighth Street
Oakland, CA 94607-4700

Fairfax: RE Marin Hwy 101 HOV Gap Closure State Transportation Improvement
Lew Tremaine Program (STIP) Amendment

Larkspur: Dear Ms. Bockelman:
Joan Lundstrom

Mill Valley: The Transportation Authority of Marin concurs with the California Department of
Dick Swanson Transportation's request to make the following STIP amendments:

Novato: • Reallocate the \$11,858,000 programmed on Marin Hwy 101 HOV
Pat Eklund Gap Closure project (TIP MRN990001; PPNO 0342L) in FY 05/06 to
FY 06/07. Since the availability of STIP funds is not assured at this
time, Segment 3 will start construction in FY 05/06 and be funded
with CMAQ and Sales Tax funds.

Ross:
Tom Byrnes

San Anselmo: This amendment would fully fund the project and backfill the Transportation
Peter Breen Congestion Relief Program funds that are not currently available. A Letter of No
Prejudice regarding those funds is forthcoming.

San Rafael: **STIP History:** The project was fully funded in September 2000 with the
Al Boro Transportation Congestion Relief Program. At that time, the construction of
Segments 3 and 4 was projected to start in fiscal year 2003/4. Due to the fiscal
crisis in the State Highway Account, these segments have been delayed.

Sausalito:
Amy Belser

Tiburon: If there are any questions on any part of this please contact me at 499-6582,
Alice Fredericks

County of Marin: Respectfully yours,
Susan Adams
Hal Brown
Steve Kinsey Craig Tackabery
Charles McGlashan Executive Director
Cynthia Murray

c: Jit Pandher, Caltrans
Connie Preston, Vali Cooper

EXHIBIT A-1
Contribution Letter for State Administered Projects

Date	3/14/2005
Local Agency	Marin CMA
Agreement No.	4-1938-C
State E. A. No.	226121, 226141, 226151
Amendment No.	1

Local - Federal Fund Type	Local - Federal Contributor Amount	Reimbursement Ratio	Match Fund Type	Match Amount	Current Total	Previous Total	Proposed Change
CMAQ	6,124,000	88.53%	STIP	793,429	6,917,429	0	
CMAQ	19,876,000	88.53%	STIP	2,575,146	22,451,146	0	
ISTEA-21	500,000	80.00%	STIP	125,000	625,000	0	
ISTEA-21	5,250,000	80.00%	STIP	1,312,500	6,562,500	0	
CMAQ	10,000,000	88.53%	STIP	1,295,606	11,295,606	0	

Comments:

EA 04-226121, CML-6204(042), \$ 6,124,000 (Construction Project)
EA 04-226141, CML-6204(043), \$19,876,000 (R/W Acquisition Project)
EA 04-226141, CML-6204(043), \$ 500,000 (R/W Acquisition Project)
EA 04-226151, CML-6204(043), \$ 5,250,000 (R/W Acquisition Project)
EA 04-226151, CML-6204(043), \$ 10,000,000 (R/W Acquisition Project)

Notes:

- 1) Identify each Local Federal fund type and match on separate lines with current and previous contributor totals towards the State-Administered project.
- 2) A separate finance letter is required to identify the type and amount of funds to be authorized, allocated, and/or applied to each phase of the work by STATE.
- 3) An amendment to this contribution letter is required for any change to the type and/or amount of funds contributed towards the State Administered project or changes to the EA.
- 4) Local Agency is responsible for all programming changes to the RTIP, FTIP and/or STIP.

Local Agency Signature _____

Caltrans Project Manager Signature _____

04-Mrn-101,580
KP 12.7/20.7, 7.2/7.7
Marin 101 HOV Lane Gap Closure
04266-226121, 226131, 226141,
226151, 226161 and 226171

FINANCIAL CONTRIBUTION AGREEMENT

THIS AGREEMENT, ENTERED INTO EFFECTIVE ON Jan. 29, 2004,
is between the STATE OF CALIFORNIA, acting by and through its Department of Transportation,
referred to herein as "STATE", and the

MARIN COUNTY CONGESTION MANAGEMENT
AGENCY, a public entity, referred to herein as "CMA".

RECITALS

1. STATE and CMA, pursuant to Streets and Highways Code Section 130, are authorized to enter into a Cooperative Agreement to contribute funds for improvements to State highways within the County of Marin.
2. STATE contemplates undertaking the environmental document preparation, design, right of way acquisition and construction of high occupancy vehicle (HOV) lanes on Route 101 and improvements at the Route 101/580 interchange, referred to herein as "PROJECT", that consists of five construction components. The first component is near completion and the second component is scheduled to start in February 2004. The design of remaining components is near completion and construction is contingent upon sufficient funding to complete right of way acquisitions and availability of construction funds.
3. CMA desires to contribute Congestion Mitigation Air Quality (CMAQ) and ISTEA-21 Demonstration funds as an apportionment of federal funds, referred to herein as "FUNDS", to be matched with CMA controlled non-federal State Transportation Improvement Program (STIP) funds, referred to herein as "MATCH FUNDS", to be jointly applied proportionately towards allowable PROJECT costs as shown on Exhibit A, attached to and made a part of this Agreement.
4. CMA desires to reprogram non-federal State funds that are under the sole control of CMA for Right of Way capital costs, herein referred to as "R.W. FUNDING," as summarized in Exhibit B, attached to and made a part of this Agreement. The reprogram amount is to be \$16,953,000.
5. The parties hereto intend to define herein the terms and conditions under which PROJECT is to be partially financed by this contribution of FUNDS and Right of Way capital costs from CMA when combined with MATCH FUNDS.

SECTION I

STATE AGREES:

1. To undertake and complete PROJECT.
2. Upon completion of PROJECT and all work incidental thereto, to furnish CMA with a detailed statement of the total of all FUNDS, MATCH FUNDS, and R.W. FUNDING expended to complete PROJECT right of way acquisitions and related costs. Any additional amount required pursuant to this Agreement will be borne by CMA with non-State and non-Federal CMA funds. Should CMA refuse to make additional needed funding available, STATE may suspend all PROJECT work until additional funding can be made available.
3. To process all federal authorizations, State allocations, and/or State application of funds on behalf of CMA as applicable under federal and State law for the contribution of FUNDS, MATCH FUNDS, and R.W. FUNDING towards PROJECT.
4. To obtain CMA approval in the form of an amendment to this Agreement should additional available FUNDS, MATCH FUNDS, and/or R.W. FUNDING is required for PROJECT.
5. STATE agrees that CMA will receive the proportional net proceeds from the sale of any excess land purchased with local (Marin County CMA) funds that becomes available at the completion of PROJECT construction. The accounting codes for the transactions where excess land is knowingly being purchased with those local funds will be coded to reflect that local funds were used, in whole or part, for that purchase. As of the date of the execution of this Agreement, the estimated value of the anticipated excess land is \$5,000,000. The final amount that is realized by the CMA is subject to changes in the market value of the property and the cost to sell that excess land. Subsequent changes in California law and policy shall not invalidate these provisions for excess land sales and refunds due CMA.

SECTION II

CMA AGREES:

1. STATE may encumber FUNDS, MATCH FUNDS, and R.W. FUNDING as shown on Exhibit A, for PROJECT costs.
2. To program all PROJECT funding in the appropriate RTIP, FTIP and STIP documents, and process all amendments thereto for any funding change to PROJECT.
3. In the event changes to FUNDS, MATCH FUNDS, and R.W. FUNDING are necessary, to promptly notify STATE to determine if an amendment to this Agreement should be executed to reflect said changes.
4. To enter into a separate cooperative agreement or an amendment to this Agreement with STATE when any portion of the work on PROJECT is to be performed by CMA.

5. CMA acknowledges and agrees that \$26,000,000 (Construction and Right of Way) of CMAQ FUNDS have been spent on PROJECT. CMA further acknowledges and agrees that \$19,876,000 of CMAQ FUNDS have been spent on Right of Way (\$13,119,400 of which has already been billed to and reimbursed by the Federal Highway Administration (FHWA) for PROJECT) and concur with having the remaining \$12,880,600 in CMAQ FUNDS billed by STATE for reimbursement by FHWA
6. To repay \$6,178,000 that was spent above the approved programmed amount by programming it in the 2006 STIP. This amount may increase before this Agreement is executed in order to satisfy financial obligations for ongoing property acquisitions, to hire expert witnesses for condemnation purposes and for relocation assistance payments. Payments for Right of Way Capital dollars spent prior to the execution of this Agreement will be made in order to satisfy legal obligations that could result in adverse legal actions if not dealt with in a timely manner. The consequences of not dealing with these obligations is an increase in the cost of PROJECT and slipping the timely delivery of the Right of Way component.
7. To authorize the transfer of ISTEA-21 Demonstration funds in the amount of \$5,250,000 from the Construction component to the Right of Way component of PROJECT.
8. To provide \$6,000,000 in R.W. FUNDING to pay for remaining Right of Way capital expenditures. This current estimated amount needed to acquire the real property rights required (acquisition, relocation assistance, demolition and utilities) for PROJECT is in addition to the \$5,250,000 in ISTEA-21 Demonstration funds that are being transferred from the Construction component to the Right of Way component of PROJECT and the \$500,000 in ISTEA-21 Demonstration funds being programmed for Right of Way.
9. CMA acknowledges that a twenty (20%) match of non-federal funds (State or local) is required for ISTEA-21 funds. CMA acknowledges that for the project this means that a match amount of \$1,150,000 is required for the \$5,750,000 in ISTEA-21 funds that are going to be applied to PROJECT. CMA acknowledges that \$7,800,000 of non-federal spending has already taken place on PROJECT and should qualify as that match.
10. CMA has been informed that there is an estimated liability of \$3,500,000 for Loss of Goodwill claims from owners or real property interests affected by PROJECT. CMA will bear any and all costs related to settling Loss of Goodwill claims.
11. CMA acknowledges that additional capital funding above the amounts shown in Articles 5, 6, 7, 8, 9, and 10 of this Section II may be needed to complete Right of Way activities for PROJECT. The need for the additional R.W. FUNDING may result from adverse judgments, legal settlements in excess of the current estimates, utility liability issues that are not resolved at this time, unknown utility work that is discovered in the field, increasing real property values, and other factors not specifically known to CMA and/or STATE at this time.
12. CMA acknowledges that the current estimated Right of Way capital costs for PROJECT are based on the assumption that land presently valued at approximately \$7,200,000 will be exchanged to complete the acquisition of some of the real property rights needed for PROJECT. Additional local (Marin County CMA) funding will be needed for PROJECT if any of the grantors do not accept the proposed land exchanges.

13. CMA agrees to work together with STATE to obtain any required approvals for any of the above PROJECT funding of every category from Metropolitan Transportation Commission or California Transportation Commission.

SECTION III

IT IS MUTUALLY AGREED:

1. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature, the allocation of resources by the California Transportation Commission, and the encumbrance of those FUNDS and MATCH FUNDS to PROJECT.
2. The expenditure of FUNDS, MATCH FUNDS, and R.W. FUNDING under sole control of CMA by STATE is subject to the programming and appropriation of those funds by CMA.
3. Exhibits A and B may be revised by mutual agreement of the parties in the absence of a formal Agreement amending this Agreement to reflect funding increases by the approval of the PROJECT manager with the consent of CMA. No amendment to this Agreement is necessary to reflect such increase/decreases in funding. The documentation of agreed Exhibit A and Exhibit B revisions shall be the responsibility of STATE's District 4 Local Assistance Office.
4. This Agreement shall terminate following completion of PROJECT or on December 31, 2011, whichever is earlier in time.

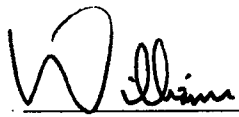
STATE OF CALIFORNIA
Department of Transportation
JEFF MORALES
Director of Transportation

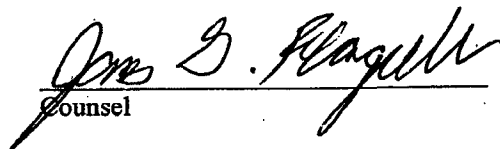
By 
Deputy District Director

MARIN COUNTY CONGESTION
MANAGEMENT AGENCY

By 
Chair

Approved as to form and procedure:


Attorney
Department of Transportation


Counsel

Certified as to funds:


District Budget Manager

Certified as to financial terms and
policies:


Accounting Administrator

EXHIBIT A

Contribution Letter for State Administered Projects

Date 1/13/2003
Local Agency Marin CMA
Agreement No. 4-1938-C
State E. A. No. 226121, 226141
Amendment No.

Local - Federal Fund Type	Local - Federal Contributor Amount	Reimbursement Ratio	Match Fund Type	Match Amount	Current Total	Previous Total	Proposed Change
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Comments:

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EA 04-226141, CML-6204(043), \$ 500,000 (RAW Acquisition Project)
EA 04-226151, CML-6204(043), \$5,250,000 (RAW Acquisition Project)

Notes:

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- 2) A separate finance letter is required to identify the type and amount of funds to be authorized, allocated, and/or applied to each phase of the work by STATE.
- 3) An amendment to this contribution letter is required for any change to the type and/or amount of funds contributed towards the State Administered project or changes to the EA.
- 4) Local Agency is responsible for all programming changes to the RTIP, FTIP and/or STIP.

015737

Local Agency Signature

Steve Kinsey

Caltrans Project Manager Signature

Jim Sandler

EXHIBIT B**MRN 101 HOV GAP CLOSURE PROJECT****SUMMARY OF R/W FUNDING**

Estimated R/W cost in 1998.....	\$27,202,000
Funds programmed for R/W in 1998.....	\$22,452,000
Programmed R/W cost in 2002 STIP.....	\$22,602,000
Estimated R/W cost in 2003.....	\$39,555,000
Funds spent to date.....	\$28,780,000

R/W Cash Flow Needs

January through June 2004.....	\$ 5,000,000
July 2004 through March 2005	\$5,775,000
Reimburse Right of Way Capital spent above approved programmed amount.....	\$ 6,178,000
Total cash flow needs	\$16,953,000

Additional funds needed for R/W.....\$16,953,000

\$6,178,000 of this is needed to repay the dollars already spent in excess of the approved programmed amount for Right of Way Capital – the additional amount “to be spent” is \$10,775,000. This amount does not include any dollars for Goodwill (currently estimated to be \$3,500,000), adverse judgments, legal settlements in excess of the current estimates, utility liability issues that are not resolved at this time or unknown utility work that is discovered in the field.

015737



METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
Tel: 510.464.7700
TDD/TTY: 510.464.7769
Fax: 510.464.7848

Memorandum

TO: Partnership Technical Advisory Committee

DATE: March 21, 2005

FR: Ross McKeown

RE: Additional Federal STP/CMAQ Funding – Cycle 1 Funding Augmentation

Attached is some good news on the funding front – finally. MTC anticipates an additional \$105 million in federal STP and CMAQ for FY 2004-05. The additional funding is available as a result of 1) the region's successful delivery of STP/CMAQ funds in advance of state and federal deadlines and ability to capture other unused obligation authority; and 2) not programming to the full apportionment estimates in the First Cycle.

MTC staff proposes to direct the funds to ready-to-go projects since the \$105 million must be obligated in FY 2004-05. Specifically, the funds will be directed to system rehabilitation needs - both transit and streets and roads, system management needs and strategic expansion needs consistent with the priorities outlined in the Transportation 2030 plan. The attached summary provides additional detail on the funding approach, as well as the funding schedule and next steps.

Staff has reviewed the attached proposal with the Joint Finance Working Group and the MTC Advisory Council. The proposal has been well-received with only a handful of comments. Among the comments and suggestions was a proposal that MTC keep "score" on the strategic expansion projects proposed for funding and ensure long-term geographic equity. Staff reminded the group that the intent of the proposal was to deliver ready-to-go projects given the tight funding obligation deadlines. In addition, there was a question about the ability of a county to do funding swaps between the streets and roads and transit rehab categories. Staff said this might be possible within very limited parameters where there is agreement between both the public works department and the affected transit operators, and there is a guarantee of a real augmentation in funds made available to the respective rehab project categories. Lastly, there was a question about the consistency of need submitted by the various transit properties during FY 2004-05, from which MTC developed its transit rehabilitation funding proposal. A follow-up meeting was held by the affected transit agencies – no alternate consensus position was developed.

This item is before the PTAC today for review and action prior to Commission consideration in April. Partnership Board members have also been invited to attend the PTAC meeting to provide input on this funding proposal.

Additional Federal STP/CMAQ Funding – Cycle 1 Augmentation Proposal for Discussion – March 21, 2005

Background

MTC anticipates an additional \$105 million in programming capacity for FY 2004-05 based on recent apportionment notices and additional Obligation Authority (OA) captured by advancing projects from FY 2004-05 and FY 2005-06 into FY 2003-04. This programming capacity is in addition to the funding commitments previously made in the First and Second Cycle programming of TEA-21 Reauthorization through FY 2006-07.

- **OA Capture:** A significant portion of this additional capacity is a result of the region's successful delivery of STP/CMAQ funds in advance of state and federal deadlines, thus allowing the region to capture additional OA in FY 2003-04 from other regions in the state. This OA does not have to be repaid, in part due to the higher than expected apportionment level received for FY 2003-04.
- **Unprogrammed Balance:** A lesser portion of this programming capacity is from capacity realized by not programming to the full apportionment estimates for First and Second Cycles.

The combination of these two factors, as shown in the table below, provides approximately \$105 million in additional funding capacity.

Funding Source (in millions of \$)

	1st Cycle	2nd Cycle	Total
OA Capture (Advancement)	66	19	85
Uncommitted Balance (over first and second cycle programming policies)	19	1	20
Total:	\$85	\$20	\$105

Funding Objectives

The proposal directs the newly available programming increment of \$105 million to address near-term transportation needs, and is guided by the following objectives. A primary objective, however, is to direct the funds to 'ready-to-go' projects given the requirement that funds be obligated this fiscal year and the goal of expediting the benefit of transportation improvements to the traveling public

1. Address Transportation 2030 Commitments. The supplemental funding should be used to advance those programs that are lagging behind Transportation 2030 commitments based on First and Second Cycle programming. Considering funding trends and commitments made to date, the transit and local road shortfalls are prime targets of this funding.
2. Ease the State Budget Bottleneck by Funding Ready-to-Go STIP Projects. The dire financial situation at the State level has significantly constrained funding opportunities, particularly for projects that are funded through the STIP. This funding provides an opportunity to minimize the delays for critical STIP projects of regional significance. To expedite benefits to the public, the supplementary funding plan focuses on projects that are able to award construction contracts in FY 2004-05 and have all other necessary funding in place.
3. System Management. In both the short-term and long-term, the limited ability to expand system capacity makes it essential that the existing capacity be managed and utilized as efficiently as possible. Investments in system management will begin to implement the Calls to Action in Transportation 2030.

Proposal

Considering the funding objectives set forth above, MTC staff is proposing to direct the supplemental \$105 million of STP/CMAQ to a package of investments to address rehabilitation needs, system management needs and strategic expansion needs as summarized in the table below.

Summary of Funding Approach

Funding Category	Million \$	%
Strategic Expansion (STIP Backfill)	\$55.0	52%
Local Streets and Roads Rehabilitation Shortfall	\$22.5	21%
Transit Rehabilitation Shortfall	\$22.5	21%
System Management – Respond to Calls for Action	\$5.5	5%
Total	\$105.5	100%

The specifics of the eligible projects and distribution methodology is briefly described below and illustrated in Attachments A through D.

- **Strategic Expansion (STIP Backfill):** Directs \$55 million in funding to STIP projects that are ready to go to construction in FY2004-05 and have remainder of funding committed. Does not substitute for ITIP funds. Requires sponsors to have 40% match. Must have federal authorization to proceed (E-76) by July 1st 2005. (**Attachment A**)
- **Local Streets and Road Rehabilitation:** Directs \$22.5 million in funding to Local Streets and Road rehabilitation. Distributes funds based on a hybrid of the county T2030 funding shortfalls and the proposed new methodology for the next long-range plan. (**Attachment B**)
- **Transit Rehabilitation:** \$22.5 million is proposed to meet the transit shortfall. Because the funds are directed to ready-to-go projects, the proposed distribution is to score 16 needs that were not met in FY 2004-05 because of funding caps or adjustments to the FTA appropriations. (**Attachment C**)
- **System Management:** \$5.5 million would fund system management projects that address T2030 calls to action and are ready to go to construction. (**Attachment D**)

Schedule and Next Steps

As noted at the outset, this supplementary funding is available as a result of the Bay Area's strong delivery record. In order to ensure that the funds are not lost due to not meeting the obligation deadlines, the policy development and programming will be on an expedited timeline as outlined below.

March 9, 2005	Finance Working Group review
March 21, 2005	Partnership Technical Advisory Committee review
April 9, 2005	Presentation to PAC of Proposed Program
April 27, 2005	Commission Approval of Program and TIP Amendment
May 27, 2005	Caltrans/FHWA/FTA approval of formal TIP Amendment
June 1, 2005	Deadline for Submittal of Obligation/Transfer Requests to Caltrans
July 1, 2005	Obligation/Transfer Deadline (E-76 approval)

METROPOLITAN TRANSPORTATION COMMISSION
TEA-21 Reauthorization - Cycle 1 Augmentation
STIP Projects at Risk due to State Transportation Funding Shortfall
Critical State Funded Projects Ready to Go to Construction by June 2007 - Pending STIP/TCRP Allocations for Construction
March 21, 2005

Tier 1 - FFY 2004-05		Implementing Agency	Critical Projects Ready to Award in FFY 2004-05	RTIP (Const.)	ITIP (Const.)	TOTAL STIP (Const.)	TCRP (Const.)	Total State Construction Funding at Risk	RTL/ E-76 Date	Project Cost at Delivery	Shortfall (Additional Funding Needed)
Contra Costa	Caltrans		I-80 WB HOV from SR 4 to Carquinez Bridge	5,305,000	24,384,000	29,689,000		29,689,000	11/26/03	33,500,000	
Sonoma	Caltrans		U.S. 101 HOV - Steele Lane to SR 12	36,393,000	14,704,000	51,097,000	6,000,000	57,097,000	9/1/04	82,500,000	11,054,000
Sonoma	Caltrans		U.S. 101 Steele Lane Interchange	13,759,000		13,759,000		13,759,000	2/15/05	14,950,000	
Marin	Caltrans		U.S. 101 HOV Gap Closure (Central San Rafael) *	35,416,000		35,416,000		35,416,000	7/1/05	39,843,000	
San Mateo	Half Moon Bay		SR 92 - Half Moon Bay Widening	3,843,000		3,843,000		3,843,000	7/1/05	20,436,000	
Alameda	Caltrans		I-238 Widening from I-580 to I-880	29,059,000		29,059,000		29,059,000	8/1/05	125,940,000	
Contra Costa	Caltrans		I-680 Bollinger Canyon and Sycamore Aux Lanes	9,172,000		9,172,000		9,172,000	8/1/05	22,822,000	
Total				132,947,000	39,088,000	172,035,000	6,000,000	178,035,000		339,991,000	11,054,000

Total Shaded Projects: 91,249,000
60% of Shaded Projects:

Tier 2 - FFY 2005-06		Implementing Agency	Critical Projects Ready to Award in FFY 2005-06	RTIP (Const.)	ITIP (Const.)	TOTAL STIP (Const.)	TCRP (Const.)	Total State Construction Funding at Risk	RTL/ E-76 Date	Total Project Construction Cost at Delivery	Shortfall (Additional Funding Needed)
San Mateo	Caltrans		U.S. 101 Aux Lanes - 3rd to Millbrae	28,495,000	15,468,000	43,963,000		43,963,000	1/1/06	89,178,000	
Santa Clara	Santa Clara		SR 152/156 Interchange	6,140,000	5,310,000	11,450,000		11,450,000	4/1/06	28,468,000	1,218,000
Marin	Caltrans		U.S. 101 HOV Gap Closure (Puerto Suello)	7,473,000		7,473,000	12,249,000	19,722,000	7/1/06		
Alameda/Santa Clara	Caltrans		I-680 Sunol Grade SB HOV Lanes	15,554,000	21,770,000	37,324,000		37,324,000	8/1/06	49,000,000	3,000,000
Total				57,662,000	42,548,000	100,210,000	12,249,000	112,459,000		166,646,000	4,218,000

Tier 3 - FFY 2006-07		Implementing Agency	Critical Projects Ready to Award in FY 2006-07	RTIP (Const.)	ITIP (Const.)	TOTAL STIP (Const.)	TCRP (Const.)	Total State Construction Funding at Risk	RTL/ E-76 Date	Total Project Construction Cost at Delivery	Shortfall (Additional Funding Needed)
Solano	Vallejo		Vallejo Ferry Terminal Intermodal Station	6,100,000		6,100,000		6,100,000	3/1/07	67,082,000	
Contra Costa	Caltrans		SR 4 Liveridge to Somersville	20,035,000		20,035,000	14,000,000	34,035,000	6/1/07	77,435,000	
Solano	Solano TA		Jepson Parkway	3,610,000		3,610,000		3,610,000	6/1/07		
Solano	CCJPA		Capital Corridor Improvements	3,125,000	1,060,000	4,185,000		4,185,000	6/1/07		
Total				32,870,000	1,060,000	33,930,000	14,000,000	47,930,000		144,517,000	0

Total of Ready to Award Critical Projects in All Three Fiscal Years				223,479,000	82,696,000	306,175,000	32,249,000	338,424,000		651,154,000	15,272,000
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Shaded Projects Proposed for Funding

Costs are for Construction Only - Including Construction Engineering

*** Includes Grandfathered Construction Engineering**

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**TEA-21 Reauthorization - Cycle 1 Augmentation
Critical Project List - Funding Contributions
March 21, 2005**

60%		STIP Funding	STP/CMAQ	60%		Sponsor Contingency	40%		Sponsor Contingency	10%		Sponsor Total	Total
SON	U.S. 101 Steele Lane Interchange	13,759,000	8,300,000	5,503,600	1,375,900	6,879,500	15,179,500						
MRN	U.S. 101 HOV Gap Closure (segments 2,3,4)	35,416,000	21,300,000	14,166,400	3,541,600	17,708,000	39,008,000						
SM	SR 92 Half Moon Bay Widening	3,843,000	2,400,000	1,537,200	384,300	1,921,500	4,321,500						
ALA	I-238 Widening from I-580 to I-880	29,059,000	17,500,000	11,623,600	2,905,900	14,529,500	32,029,500						
CC	I-680 Bollinger Canyon and Sycamore Aux Lanes	9,172,000	5,500,000	3,668,800	917,200	4,586,000	10,086,000						
Total:		91,249,000	55,000,000	36,499,600	9,124,900	45,624,500	100,624,500						

METROPOLITAN TRANSPORTATION COMMISSION
TEA-21 Reauthorization - Cycle 1 Augmentation
Shortfall - LS&R Rehabilitation
March 21, 2005

County	Current LS&R Formula		Interim Draft Proposed STP Distribution * 50-50 Migration		Draft Revised LS&R Formula	
	Shortfall (% Share)	Shortfall (\$ Amount)	Shortfall (% Share)	Shortfall (\$ Amount)	Shortfall (% Share)	Shortfall (\$ Amount)
Alameda	10.0%	\$2,250,000	13.5%	\$3,000,000	17.0%	\$3,825,000
Contra Costa	11.0%	\$2,475,000	12.5%	\$2,800,000	14.0%	\$3,150,000
Marin	6.0%	\$1,350,000	5.5%	\$1,200,000	5.0%	\$1,125,000
Napa	6.0%	\$1,350,000	4.5%	\$1,100,000	3.0%	\$675,000
San Francisco	9.0%	\$2,025,000	9.5%	\$2,100,000	10.0%	\$2,250,000
San Mateo	7.0%	\$1,575,000	8.0%	\$1,800,000	9.0%	\$2,025,000
Santa Clara	28.0%	\$6,300,000	25.5%	\$5,700,000	23.0%	\$5,175,000
Solano	3.0%	\$675,000	5.5%	\$1,300,000	8.0%	\$1,800,000
Sonoma	20.0%	\$4,500,000	15.5%	\$3,500,000	11.0%	\$2,475,000
Total	100.0%	\$22,500,000	100.0%	\$22,500,000	100.0%	\$22,500,000

* Distribution formula is an interim 'working' formula and should be considered as draft until finalized

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METROPOLITAN TRANSPORTATION COMMISSION

TEA-21 Reauthorization - Cycle 1 Augmentation

Shortfall - Transit Rehabilitation

March 21, 2005

Transit Rehabilitation Recommendation: Fund balance of FY 2004-05 Score 16 Need (Lift Caps and Eliminate Shortfall)

Operator	Project	FY 2004-05 Score 16 Appropriation Shortfall	Lift Caps on FY 2004-05 Score 16 Capital Requests	Total Score 16 Near-Term Need	% of Total	Proposed STP Cycle 1 Supplemental Funding
BART	Track Rehab		300,000	300,000	0.19%	
BART	Train Control		39,236,718	39,236,718	24.47%	
BART	Traction Power		9,716,883	9,716,883	6.06%	
	Sub-total BART			49,253,601	30.72%	6,910,000
Caltrain	Track Rehab		58,389,658	58,389,658	36.42%	
Caltrain	VRE Car Replacement	192,884	5,875,500	6,068,384	3.78%	
Caltrain	Signal System Rehab		1,068,682	1,068,682	0.67%	
Caltrain	Fare Equipment	575,190		575,190	0.36%	
	Sub-total Caltrain			66,101,914	41.23%	9,280,000
GGBHTD	Ferry Fixed Guideway Connectors		944,621	944,621	0.59%	
GGBHTD	Ferry Major Components		309,217	309,217	0.19%	
GGBHTD	Ferry Replacement		4,160,000	4,160,000	2.59%	
	Sub-total GGBHTD			5,413,838	3.38%	760,000
Muni	Motor coach repl 455 - 51 40' new flyers w/alt fuels		6,940,258	6,940,258	4.33%	
Muni	Repl 20 1990 30' orions w/20 40' alt fuels coaches		3,009,412	3,009,412	1.88%	
Muni	Repl 25 30' Orions w/25 30' alternate fuels vehicles		10,762,308	10,762,308	6.71%	
Muni	Historical vehicle rehab		8,394,657	8,394,657	5.24%	
Muni	Trolley Overhead		5,580,864	5,580,864	3.48%	
Muni	Track Rehab		0	0	0.00%	
Muni	Trolley Coach Replacement		0	0	0.00%	
Muni	Wayside Fare Collection		4,885,562	4,885,562	3.05%	
	Sub-total Muni			39,573,060	24.68%	5,550,000
	Grand Total			160,342,413	100.00%	22,500,000

Attachment D

METROPOLITAN TRANSPORTATION COMMISSION TEA-21 Reauthorization - Cycle 1 Augmentation High Priority Freeway Management Investments March 21, 2005

Phase 1 Projects		Lead Agency	Cost	Project Type
SB Marin 101 CMS		Caltrans	\$150,000	Construction
CCTV Cameras on SCI-237, add to EA 04-151341		Caltrans	\$300,000	Construction
SV-ITS – add 10 CCTV along Fwy, and C2C Comm. Equipment		San Jose	\$1,000,000	Construction
SFgo C2C, including s/w and comm. equipment		SF	\$500,000	Construction
Expand 511 Driving Times data collection (Phase III)		MTC	\$1,000,000	Construction
California Vehicle-Infrastructure Integration (VII) testbed.		Caltrans/MTC	\$1,500,000	Construction
TMC - 511 Interface		MTC	\$1,000,000	Construction
subtotal			\$5,450,000	

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Belvedere:
Jerry Butler

March 18, 2005

Corte Madera:
Melissa Gill

Jit Pandher
Project Manager
Department of Transportation, District 4
111 Grand Avenue P.O. Box 23660
Oakland, CA 94623-0660

Fairfax:
Lew Tremaine

Larkspur:
Joan Lundstrom

Re: Marin 101 HOV Gap Closure Project

Mill Valley:
Dick Swanson

Dear Mr. Pandher:

Novato:
Pat Eklund

This is a follow up letter to my December 9, 2004 letter to you.

Ross:
Tom Byrnes

Last year, the Metropolitan Transportation Commission (MTC) allocated \$10,000,000 in STP/CMAQ funds for the project. Recently, MTC has released a proposal to allocate \$21,300,000 in STP/CMAQ funds to this project. My December 9 letter requested an amendment to the Marin County Congestion Management Agency/Caltrans Financial Contribution Agreement (District Agreement No. 4-1938-C), hereinafter AGREEMENT, to incorporate the project elements described in the letter and related funding.

San Rafael:
Al Boro

To take advantage of the above STP/CMAQ funds, we request an amendment to the AGREEMENT in advance of the other proposed amendment. The amendment would recognize the following funding:

Sausalito:
Amy Belser

Tiburon:
Alice Fredericks

- \$31,300,000 in STP/CMAQ funds, \$10,000,000 for right-of-way, \$21,300,000 for construction
- \$10,050,000 in sales tax funds for construction

County of Marin:
Susan Adams
Hal Brown
Steve Kinsey
Charles McGlashan
Cynthia Murray
Annette Rose

It is our understanding that approximately \$10,000,000 will be returned to Marin as right-of-way is surplus for use on Marin projects. The schedule and amounts for the cash flow to Marin is:

- Approximately \$5,000,000 from the Central San Rafael Segment returned by the end of 2006.
- Approximately \$5,000,000 from the Puerto Suello Hill Segment returned by 2009.

Also, as we recently discussed the timing of the Segments is key to obtaining the STP/CMAQ funding.

As we discussed, we are committed to delivering these two segments in their current schedule or sooner. The schedule we have agreed upon is:

Segment	E-76	CTC Vote	Construction start	Construction completion
3 Central San Rafael	6/1/05	N/A	1/06	11/06 W. Francisco 12/08 Hwy 101
4 Puerto Suello Hill		6/06	1/07	12/08
5A Landscape (1 & 2)		11/06		
5B Landscape (3 & 4)		11/08		

TAM intends to adopt a STIP amendment regarding this project and the \$10 million STP/CMAQ amendment to the AGREEMENT on March 24, 2005, and the \$21.3 million STP/CMAQ amendment to the AGREEMENT and sales tax allocation on April 28, 2005. Please take all necessary actions to assist us in meeting this schedule.

Sincerely,

Craig Tackabery
Executive Director

c: TAM Gap Closure Subcommittee (Commissioners Boro, Brown, Adams)
Art Brook, Transportation Engineer
Andy Preston, San Rafael Public Works Director